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2278256

Los Ang( )es County Sheriff( ) Department

Supervisor's Report on Use of Force

Incident Information

URN: 9 1 0 - 2 1 0 5 7 - 2 1 7 3 - 1 4 5	Date: 12/3/10	Time: 0650	
Location: Graham at Firestone Blvd.	City or Station: Los Angeles		
Bureau/Station/Facility: Patrol / Century Sheriff Station	Admin. Investigation: YES ☐ NO ☒		
Type of Force: Significant Force- Impact Weapon (Flashlight)			
Deputy Injury : YES ☐ NO ☒	Suspect Injury YES ☒ NO ☐		
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Vaughan	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee # [redacted]	Last Name Mejia	First Name Carlos	Middle Name D.
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: Century	Work Assignment (Unit #, Module, etc.): 217A
Shift: ☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 5'09" Weight: 180
☐ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ☐ Significant Force ☒

E2

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name
Sex: [redacted] Male ☐ Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: ☐ EM [redacted] Day ☐ PM	[redacted] Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: [redacted] Weight: [redacted]
☐ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ☐ Significant Force ☐

E3

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: Century	Work Assignment (Unit #, Module, etc.): [redacted]
Shift: ☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 6'02" Weight: 210
☐ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ☐ Significant Force ☐

☒ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Jones	Tina		Sgt	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Ingresso	Romeo	F.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Westin	Richard	L.

Lt. Richard Westin
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: — Date

Sgt. Jimmy Rios
Supervisor Completing Form: (**Print Name**) — Emp #: [redacted] — Copy Provided to Employee by: — Emp #:

Captain James Hellmold
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION
9 1 0 - 2 1 0 5 7 - 2 1 7 3 - 1 4 5

Suspect Information

S 1

Last Name: Munoz	First Name: Gabriel	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex: ☒ Male ☐ Female | Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 23 | Height: 5'11" | D.O.B. 04/13/1987 | Weight: 150 | Armed? ☐

Booking #: 2565877 | Primary Charge Code: 11550 H&S | Secondary Charge Code: 148 A 1 P.C. | Criminal History [redacted]

EMT in attendance? ☐ YES ☒ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: St. Francis Hospital Coroner Case #: ______ Mental History ☐

By Doctor: Dr. Flashman Address: 3630 E. Imperial Hwy, Lynwood, CA 90262 Phone #: 310-900-8900

Under Influence: ☒ YES ☐ NO Substance: Methamphetamine Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name
AKA Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: ☐ YES ☐ NO Substance: ______ Mental Illness: ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name
AKA Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: ☐ YES ☐ NO Substance: ______ Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 0 - 2 1 0 5 7 - 2 1 7 3 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Kim	Alex	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Munoz	S#1	Mejia	E#1	UC	NN	
[redacted]	E#3	Munoz	S#1	TD	NN	
Munoz	S#1	Mejia	E#1	RS	NN	
Munoz	S#1	[redacted]	E#2	UC	NN	
[redacted]	E#2	Munoz	S#1	CT	NN	
Munoz	S#1	Mejia	E#1	RS	NN	
Mejia	E#1	Munoz	S#1	FL	FR	HD
Mejia	E#1	Munoz	S#1	RH	NN	
[redacted]	E#2	Munoz	S#1	RH	NN	
Munoz	S#1	[redacted]	E#4	RS	NN	
[redacted]	E#4	Munoz	S#1	CT	NN	
Munoz	S#1	[redacted]	E#4	RS	NN	
[redacted]	E#4	Munoz	S#1	PP	NN	

Force Applied

Take down technique to the ground, impact weapon (flashlight) strike to the suspects left hand, resisted handcuffing, and control technique to place on the hood of the patrol car.

Incident Details

See attached Investigative summary

Report Use of Force by Involved Employee(s)

See attached investigative summary

Witness Interview(s)

See attached investigative summary

Suspect Interview(s)

Suspect Interview(s) Conducted by: ☐ **Watch Commander** ☒ **Supervising Sergeant**

Sergeant Tina Jones interviewed the suspect on video tape.

Medical Review

Training & Tactical Review

☐ **Debriefing held to discuss training and tactical issues.**

Watch Commander's Review

Case Status

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

910-21057-2173-145

Involved Employee

E 4

Employee #: [redacted] | Last Name: [redacted] | First Name: [redacted] | Middle Name:

Sex: ☒ Male ☐ Female | Race: H | Unit of Assignment: Century | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: ☒ EM ☐ Day ☐ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 6-01 | Weight: 220

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☐

E__

Employee #: | Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☐

E__

Employee #: | Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☐

E__

Employee #: | Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☐

E__

Employee #: | Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☐

INVESTIGATIVE NARRATIVE

INVESTIGATIVE SUMMARY

USE OF FORCE - SIGNIFICANT FORCE - FLASHLIGHT

CENTURY SHERIFF'S STATION - FOR II

IAB FORCE NUMBER: FO 2278256

URN: 910-21057-2173-145

OPENING STATEMENT:

On Friday, December 3, 2010, IAB Lieutenant Stephen Vaughan was notified by Century Station Watch Commander Lieutenant Richard Westin regarding the arrest of Suspect Gabriel Munoz. During the arrest of the suspect, Deputy Carlos Mejia utilized his department-approved flashlight, while effecting the arrest. Deputy Mejia struck the suspect's left hand twice with his flashlight, causing a fracture to his left hand. Century Station Deputies [redacted] and [redacted] used control techniques to restrain the suspect during the struggle to handcuff the suspect. Additionally, Deputy [redacted] forced the suspect onto the hood of his patrol car to prevent him from pulling away from his control during the escort to the patrol car. IAB Sergeant Jimmy Rios was assigned the Internal Affairs Bureau force review. The Office of Independent Review was notified by Lieutenant Vaughan.

The following is a synopsis of the incident:

On Friday, December 3, 2010, at approximately 0650 hours, Deputies Mejia and [redacted] were traveling east on Florence Avenue at Graham Avenue in their marked sheriff's patrol car, when they saw a male Hispanic adult (later identified as Suspect Gabriel Munoz), acting in a manner consistent with a person under the influence of a controlled substance. The deputies stopped their patrol car to check on the suspect's welfare. The suspect, upon seeing the deputies, quickly entered the southbound Metro Blue Line train at the Florence Passenger Station Platform (Florence PAX) in an apparent attempt to avoid the deputies.

Deputy Mejia, using his portable radio, requested assisting units to check the Firestone Blue Line Station for the suspect. Deputies Mejia and [redacted] drove to the Firestone PAX area, along with assisting units. Deputies Mejia, [redacted] and [redacted] arrived at the location to look for the suspect. They checked the upper passenger platform area, where they located him. The Deputies gave the suspect several verbal commands to stop and lay on the ground, but he refused all orders. Fearing the suspect was preparing to run from the deputies, Deputy [redacted] utilized a takedown technique to apprehend the suspect. Once on the ground, the suspect continued to struggle with the deputies refusing to comply with their commands to place his hands behind his back. Deputy Mejia, fearing for his safety after seeing the suspect reach into his waistband, struck the suspect's left hand twice with his flashlight. Deputies [redacted] and [redacted] used their knees and body weight to hold the suspect down to safely handcuff him. The suspect was handcuffed by Deputies Mejia and [redacted]

When Deputy [redacted] escorted the suspect to a patrol car, he began to push and pull away from his grasp. Fearing the suspect was attempting to escape from him, he forced the suspect's body onto the hood of his patrol car to regain control of him. The suspect was placed into the patrol car without further incident.

The suspect was transported to St. Francis Hospital, where it was determined he had suffered a fractured left hand due to the flashlight strikes. Century Station Patrol Sergeant Tina Jones responded to the scene and interviewed the suspect at the hospital.

The investigation of this incident is based on information obtained from the crime and supplemental reports and interviews with the involved employees, suspect, and witness.

The incident report and supplementary reports are listed as **Exhibit A,** the photo disc depicting the location is **Exhibit C.**

INVOLVED PERSONNEL:

Carlos Mejia, Deputy, #[redacted]
Century Station
Field Operations Region II

EMPLOYEE'S WORK HISTORY:

Date of Employment:	02-11-02
Date assigned to Patrol Training:	[redacted]
Prior Founded Force Incidents:	

[redacted] Deputy, #[redacted]
Century Station
Field Operations Region II

EMPLOYEE'S WORK HISTORY:

Date of Employment:	08-16-01
Date assigned to Patrol Training:	[redacted]
Prior Founded Force Incidents:	

[redacted] Deputy, #[redacted]
Century Station
Field Operations Region II

EMPLOYEE'S WORK HISTORY:

Date of Employment:	11-30-05
Date assigned to Patrol Training:	[redacted]
Prior Founded Force Incidents:	

[redacted] **Deputy, #**[redacted]
Century Station
Field Operations Region II

EMPLOYEE'S WORK HISTORY:
Date of Employment: 03-23-05
Date assigned to Patrol Training: [redacted]
Prior Founded Force Incidents:

SUSPECT:

Gabriel Munoz, MH/23, DOB 04-13-87, 5'11", 150 lbs., Blk/Bro,
BKG#2565877, CII# [redacted] MAIN# [redacted] FBI# [redacted]

Criminal History:

Suspect Munoz' criminal history consists of arrests for tampering with a vehicle, burglary, and unlicensed driver. His criminal history is listed as **Exhibit F.**

NON DEPARTMENT WITNESSES:

None

SUSPECT INJURIES:

Suspect Munoz was transported to St. Francis Hospital. He was treated by Doctor Flashman for a fractured left hand. He also had a small scrape to the left side of his face. He did not complain of any other injuries.

> **IAB NOTE:** Refer to Deputy Flores' supplemental report under **Exhibit A. Exhibit D** is the taped interview between Sergeant Jones and Suspect Munoz.

DEPUTY INJURIES:

None

PHYSICAL EVIDENCE:

Century Station Sergeant Tina Jones videotaped the interview she had with Suspect Munoz while he was at the hospital.

> **IAB NOTE:** Refer to **Exhibit C** which is the video disc of the videotaped interview between Sergeant Jones and Suspect Munoz.

INVESTIGATORS' OBSERVATIONS:

Sergeant Jones responded to the scene and interviewed the suspect after the incident. She videotaped the interview and checked the suspect for any additional injuries. She did not observe any additional injuries. A check of the Blue Line Station video surveillance did not depict the incident.

> **IAB NOTE: Exhibit C** is a video disc depicting the interview with the suspect. **Exhibit G** is a video disc depicting video surveillance of the location. The incident was not videotaped.

WEAPONS USED BY DEPUTY PERSONNEL:

Department-Approved Flashlight, "Streamlight", Model SLX-20.

WEAPON(S) USED BY SUSPECT:

None.

PROPERTY DAMAGE:

None.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Century Station Detective James North was the handling detective on the case and filed under the influence of a controlled substance and obstruct and delay officer charges.

> **IAB NOTE: Exhibit F** is Suspect Munoz' criminal history. **Exhibit E** is the Case Tracking Report.

WEATHER AND LIGHTING CONDITIONS:

The weather was cool and clear. The lighting during the incident was early morning hours.

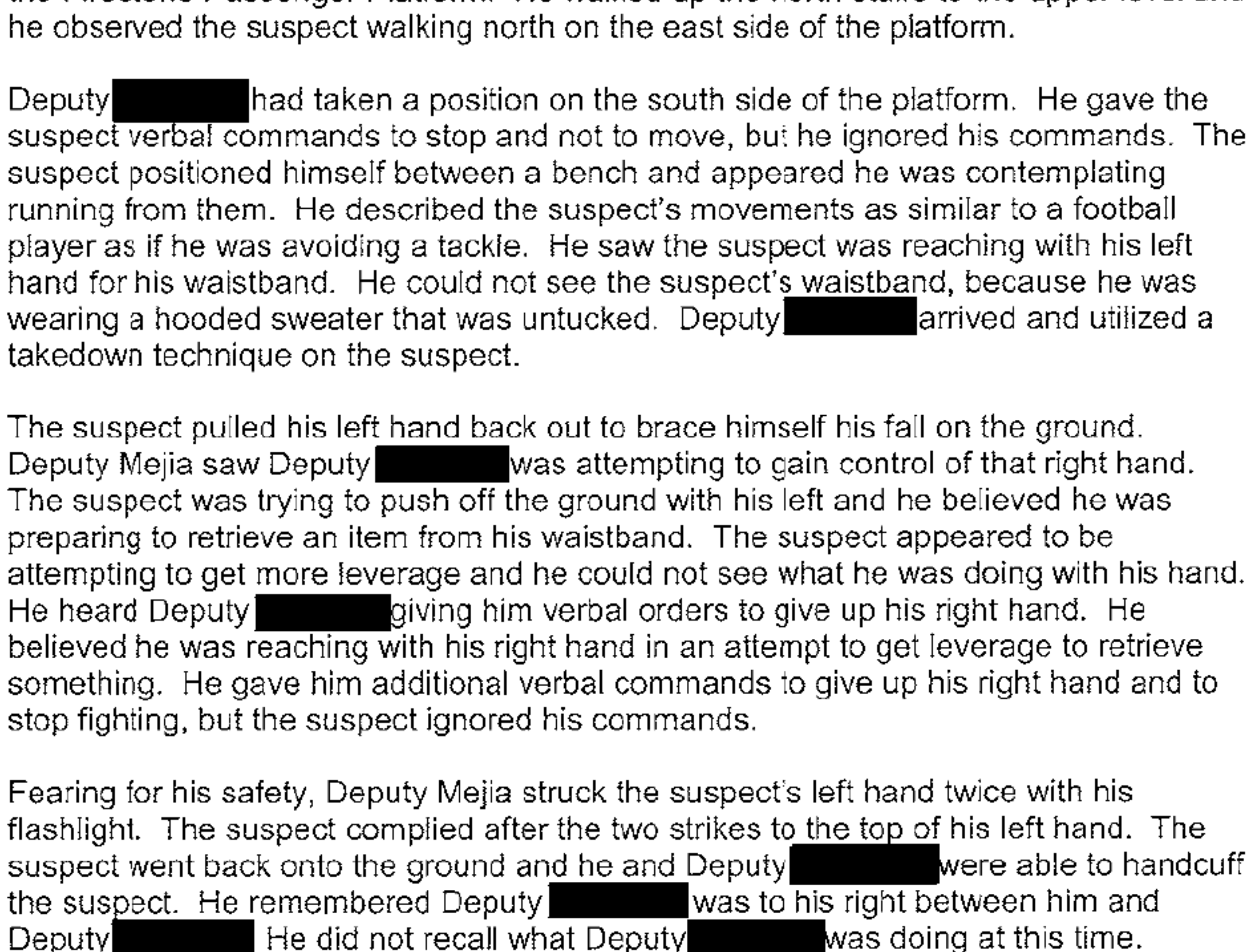
INVOLVED EMPLOYEE STATEMENT(S):

Carlos Mejia, Century Deputy, #[redacted] was interviewed on December 3, 2010, at 1452 hours by Sergeant Jimmy Rios and Lieutenant Stephen Vaughan from Internal Affairs Bureau. The interview took place at Century Sheriff Station in the Captain's conference room.

On December 3, 2010, at approximately 0650 hours, Deputy Mejia was assigned as Unit [redacted] and he was working with Deputy [redacted] They were driving east on Florence Avenue in their marked patrol unit, when he saw the suspect, later identified as Suspect Gabriel Munoz, walking on the north sidewalk on Florence Avenue.

The suspect was sweating profusely and appeared to be extremely nervous due to him constantly stopping and looking around after a few steps. They turned their car toward him to detain him, and the suspect was within three to five feet away from them. The suspect looked in their direction and began running south toward the Florence Passenger Platform Station. The suspect jumped the metal wall and started to run toward the train.

Deputy Mejia checked the train the suspect boarded in order to notify his assisting units. He estimated he walked approximately 200 feet to check the train the suspect boarded. He stated he was not involved in a foot pursuit. He requested, via his handheld radio, a unit to respond to the Firestone Blue Line Station to check for the suspect. He provided a description of the suspect over the radio. Deputy Kim and his partner acknowledged his request and responded to the location. Deputy Mejia and his partner responded to the Firestone Passenger Platform. He walked up the north stairs to the upper level and he observed the suspect walking north on the east side of the platform.



Deputy [redacted] had taken a position on the south side of the platform. He gave the suspect verbal commands to stop and not to move, but he ignored his commands. The suspect positioned himself between a bench and appeared he was contemplating running from them. He described the suspect's movements as similar to a football player as if he was avoiding a tackle. He saw the suspect was reaching with his left hand for his waistband. He could not see the suspect's waistband, because he was wearing a hooded sweater that was untucked. Deputy [redacted] arrived and utilized a takedown technique on the suspect.

The suspect pulled his left hand back out to brace himself his fall on the ground. Deputy Mejia saw Deputy [redacted] was attempting to gain control of that right hand. The suspect was trying to push off the ground with his left and he believed he was preparing to retrieve an item from his waistband. The suspect appeared to be attempting to get more leverage and he could not see what he was doing with his hand. He heard Deputy [redacted] giving him verbal orders to give up his right hand. He believed he was reaching with his right hand in an attempt to get leverage to retrieve something. He gave him additional verbal commands to give up his right hand and to stop fighting, but the suspect ignored his commands.

Fearing for his safety, Deputy Mejia struck the suspect's left hand twice with his flashlight. The suspect complied after the two strikes to the top of his left hand. The suspect went back onto the ground and he and Deputy [redacted] were able to handcuff the suspect. He remembered Deputy [redacted] was to his right between him and Deputy [redacted] He did not recall what Deputy [redacted] was doing at this time.

The suspect was escorted out of the area, by an unknown deputy and they checked the area to make sure the suspect did not discard any contraband. They did not find any contraband.

Deputy Mejia notified Sergeant Jones in regard to his use of force. Deputy Kim transported the suspect to Saint Francis Hospital where he was treated for his injury.

> **IAB NOTE**: Refer to Deputy Mejia's transcribed interview and the recorded interview under Job #30696. **Exhibit B** is an audio disc depicting radio transmissions from Century Station personnel on 12-03-10.

[redacted] **Century Deputy, #**[redacted] was interviewed by IAB Sergeant Jimmy Rios and Lieutenant Stephen Vaughan on December 3, 2010, at 1534 hours. The interview was digitally recorded and took place at Century Sheriff Station.

On December 3, 2010, at approximately 0650 hours, Deputy [redacted] was working Century Station with his partner Deputy Mejia as unit [redacted] They were responding to an audible burglary alarm, when they saw a male Hispanic, later identified as Suspect Gabriel Munoz, walking on the street. The male appeared to be sweating profusely and displayed other symptoms that caused him to believe the suspect was under the influence of a stimulant. They attempted to contact him, but he ran toward the Florence Blue Line passenger platform, where he was able to board the southbound train.

They communicated the suspect's description and direction of travel and assisting units began to respond in that direction. Deputy [redacted] was parking the car when his partner, Deputy Mejia and another deputy went up the stairs to the upper platform area. He responded to that area and he was the last deputy to arrive at the upper level. When he arrived at the upper level, he heard someone telling the suspect several times, "Stop fighting and give me your hands." He saw Deputy Mejia and Deputy [redacted] struggling with the suspect while on the ground. He saw Deputy Mejia strike suspect Munoz' left hand twice with his flashlight. He was moving toward them and saw Deputy Mejia was able to gain control of his left hand and initiate the handcuffing.

Deputy [redacted] placed his hands on the suspect's upper left back area and he pushed his arm and shoulder down to try and steady him, so Deputy Mejia could complete the handcuffing. The suspect was moving around and appeared to him that he was attempting to stand up and flee from them. The suspect was then handcuffed. He then backed off from the situation and provided security for the deputies. Deputy [redacted] escorted the suspect out of his view down to the patrol car. He checked the area for any weapons the suspect may have discarded. They did not find any weapons or contraband.

Deputy [redacted] went back down to the lower platform area and the suspect was now in the backseat of a parol car and he was then transported to the hospital.

Deputy [redacted] did not believe his OC Spray was a force option, because he did not believe the suspect would be able to flee from their control and the deputies were close to handcuffing him at the point of his arrival.

IAB NOTE: Refer to Deputy [redacted] transcribed interview and the recorded interview under Job #30698.

[redacted] **Century Deputy, #**[redacted] was interviewed by IAB Sergeant Jimmy Rios and Lieutenant Stephen Vaughan on December 3, 2010, at 1518 hours. The interview was digitally recorded and took place at Century Sheriff Station.

On December 3, 2010, at approximately 0650 hours, Deputy [redacted] and his [redacted] Deputy Seacord, were working Century unit 216A1, when they heard a radio traffic request for a unit to respond to the Firestone Metro Station regarding a suspicious man call.

Upon their arrival, Deputy [redacted] saw deputies running up the stairs toward the passenger loading platform. He followed the deputies up the stairs and he saw Deputy Mejia trying to make contact with the suspect who was attempting to avoid Deputy Mejia by using the bench as a barrier. He heard Deputy Mejia telling the suspect to stop. The suspect ignored Deputy Mejia's commands and quickly moved in his (Deputy [redacted] direction and placed his hands and arms out like he was trying to push him. He was able to stop him from pushing, by wrapping his arms around and him and taking him to the ground. Deputy [redacted] landed on his right side and the suspect landed on his stomach. The suspect was shifting from side to side in an effort to push him off. He placed his knee on the suspect's upper back to exert his body weight to keep him from shifting and getting up. He attempted to gain control of the suspect's right hand. He gave him verbal commands to give him his hand. He was able to put his right hand behind his back.

Deputy [redacted] saw Deputy Mejia was attempting to gain control of the suspect's left hand, which he was trying to push up with. The suspect continued in his efforts to attempt to jolt them off of his body. He heard Deputy Mejia strike the suspect's hand twice with his flashlight. Soon after the flashlight strikes, they were able to handcuff the suspect.

Deputy [redacted] did not recall if any other deputy assisted with the handcuffing of the suspect. Deputy [redacted] did not deploy his OC Spray because he feared the time it would take to remove the spray and deploy the suspect would have fled from them.

Deputy [redacted] stated the suspect was placed in a radio car and was transported to the hospital by Deputies Kim and Hernandez. He notified Sergeant Jones in regard to the force he used.

IAB NOTE: Refer to Deputy [redacted] transcribed interview and the recorded interview under Job #30697.

[redacted] **Century Deputy, #[redacted]** was interviewed by IAB Sergeant Jimmy Rios on December 10, 2010, at 0849 hours. The phone interview was digitally recorded.

On December 3, 2010, at approximately 0650 hours, Century Deputy [redacted] was working Century Unit [redacted] when he heard a unit was requesting assistance and he responded to the Florence Blue Line Station. Deputy Mejia advised responding units that the suspect had entered the Blue Line Train that was traveling south. He requested units respond to the Firestone Blue Line Station.

As Deputy [redacted] approached the Firestone Blue Line Station, he saw a male Hispanic fitting the description which had been previously broadcast by Deputy Mejia. The suspect saw him and ran upstairs out to the platform area. He exited his car and checked the passenger platform area, but he had lost sight of the suspect. A citizen told him the suspect had gone down onto the tracks. He checked the track area and saw the suspect was on the top of the passenger platform level running south. He saw Deputies Mejia and [redacted] and another deputy got a hold of the suspect. He saw they were struggling with the suspect to handcuff him. He heard Deputy Mejia giving the suspect verbal commands to put his hands behind his back.

Deputy [redacted] saw the suspect continue to struggle, so he placed his knee on the suspect's buttocks area to assist in controlling him. The suspect was immediately handcuffed with no further incident.

Deputy [redacted] escorted the suspect down to one of the patrol vehicles. He was holding the handcuffs with his right hand and the suspect's arm with his left hand as he was walking him toward the vehicle. The suspect began to resist by raising up and turning toward him. He attempted to turn his left shoulder toward him, but he was able to push the suspect's upper body against the hood of the patrol car. The suspect's upper chest area struck the patrol car, he did not recall if the suspect's face struck the hood. He gave the suspect verbal commands and the suspect apologized. He was not injured, nor did he complain of any pain due to the force. He searched him without any further incident. Deputy Banuelos assisted by placing the suspect in the patrol car.

Deputy [redacted] did not witness the flashlight strike, because he believed the strike occurred prior to his arrival.

> **IAB NOTE:** Refer to Deputy [redacted] transcribed interview and the recorded interview under Job #30822.

<u>SUSPECT STATEMENT:</u>

Gabriel Munoz, MH/23, was interviewed on December 3, 2010, at 0800 hours by Century Station Sergeant Tina Jones at St. Francis Hospital.

Gabriel Munoz said he was at the Florence train station when he heard the deputies yelling at him to stop. He was frightened because he thought they were looking for him because he had a warrant. He continued to walk toward the train. He denied running from them. At the time he did not realize they were speaking to him, but now he realizes they were speaking to him. Once he knew the deputies were calling him, the train doors had closed.

He knew he was in trouble, so he got off at the next stop to confront the deputies at the Firestone station. He was walking toward the stairs when he saw the deputies coming toward him. He heard the deputies say, "You there, come here, come here." He walked calmly toward them to surrender and one of deputies told him to get on the ground. He kneeled down onto the ground and was tackled to the ground by one of the deputies. He assumed the deputies believed he was going to run. He was laying on the ground on his right side. He claimed he did not struggle or fight with the deputies and cooperated with all the deputy commands. He estimated four to six deputies were on top of him.

One of the deputies pulled his left hand out and struck it with a baton or a flashlight approximately five to six times. He remembered seeing a rainbow colored object hitting his left hand. He believed the deputies assumed he was struggling or resisting. One of the deputies placed their knee on his face, while another deputy was holding his right hand behind his back. He alleged he was being punched several times at this time. He described the pain to his left hand as excruciating. He admitted to being "zoned out" by the time they stopped him and was really dizzy. He complained of being unable to focus and was exhausted.

Sergeant Jones saw Suspect Munoz had a small scrape to the left side of his face. Suspect Munoz claimed it was caused by the deputy who placed his leg or knee on his face when he was on the ground. She also noticed the swelling and injury to his left hand. Gabriel Munoz denied using any prescribed medication, although he admitted to using Methamphetamine for the first time in his life at approximately 0200 hours in the morning with a friend. He admitted to drinking a small amount of "King Cobra" alcohol earlier in the evening. He complained of pain to his left hand. He did not complain of any other injuries. He denied having any mental illness issues.

> **IAB NOTE:** Refer to Suspect Munoz' recorded and transcribed interview is listed under Jobs #31285.

DEPARTMENT WITNESS STATEMENT:

Alex Kim, Century Deputy, #[redacted] was interviewed by IAB Sergeants Jimmy Rios and Jack Ramirez on January 21, 2011, at 0916 hours. The interview took place at Century Station.

Deputy Kim and his partner, Deputy Araceli Hernandez, were working on December 3, 2010, at approximately 0650 hours, assigned to Century Station. He heard a back up request over the radio, and they responded to the Firestone Blue Line Station. When they arrived, he saw at least one radio car was already there. He was getting out of his patrol car when he saw Deputy [redacted] escorting a male down the north-facing staircase.

Deputy Kim was holding the suspect's left arm with both hands. The suspect was actively resisting by shifting his torso and pulling away from him as if he was trying to get loose from his grasp. He saw the suspect was handcuffed, but continued to struggle with Deputy [redacted] It appeared to him Deputy [redacted] was in a hurry to escort the suspect closer to the patrol vehicle to continue his control of him. The suspect once again pulled away from Deputy [redacted] He did not recall hearing any verbal commands or the suspect saying anything, but he was a distance away from them. He saw Deputy [redacted] use his upper body to forcibly push the suspect onto the hood of the patrol car. The suspect complied thereafter and was placed into the patrol car.

Deputy Kim stated Deputy Mejia asked him to transport the suspect to St. Francis Hospital due to the injury to his left hand.

While at the hospital, Deputy Kim observed symptoms that the suspect was under the influence of a stimulant. He also heard the suspect admit while he was being interviewed by Sergeant Jones that he had smoked Methamphetamine.

> **IAB NOTE:** Refer to Deputy Kim's transcribed interview and the recorded interview under Job #31282.

MISCELLANEOUS SECTION:

None